

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DOLORES DE LEON,

Plaintiff,

vs.

CIT GROUP INC., et al.,

Defendants.

Case No. 2:11-cv-01028-PMP-NJK

ORDER DENYING IN PART  
MOTION FOR SANCTIONS  
(Docket No. 165)

Pending before the Court is Plaintiff Dolores De Leon's ("Plaintiff") motion for sanctions. Docket No. 165. Defendant CIT ("Defendant") filed a response. Docket No. 173. No reply was filed. The Court finds the matter properly resolved without oral argument. *See* Local Rule 78-2. Having considered the materials submitted and the arguments of counsel, the Court hereby **DENIES** the motion in part.<sup>1</sup>

Plaintiff's motion contends that sanctions should be imposed pursuant to 28 U.S.C. § 1927 for unreasonably and vexatiously multiplying proceedings. To prevail on such a motion, Plaintiff must show subjective bad faith, which "is present when an attorney knowingly or recklessly raises a frivolous argument, or argues a meritorious claim for the purpose of harassing an opponent." *B.K.B.*

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<sup>1</sup> The pending motion seeks sanctions for various conduct. This order resolves the motion only with respect to discovery-related conduct addressed at pages 3-6 of the motion (*i.e.*, Defendant's purported refusal to authenticate documents). *See* Docket No. 165 at 3-6. The Court expresses no opinion with respect to the other aspects of the motion, which remain pending.

1 v. *Maui Police Dept.*, 276 F.3d 1091, 1107 (9th Cir. 2002) (quoting *In re Keegan Mgmt. Co., Sec.*  
2 *Litig.*, 78 F.3d 431, 436 (9th Cir. 1996). No such showing has not been made here, so the motion is  
3 **DENIED** with respect to the discovery-related conduct identified in the motion.

4 **IT IS SO ORDERED.**

5 DATED: March 11, 2013

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9 NANCY J. KOPPE  
10 United States Magistrate Judge  
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